

10/533868

"Express Mail" mailing label number EV 314 907 031 US

Date of Deposit: May 5, 2005

JC06 Rec'd PCT/PTO 05 MAY 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Keita Nishino et al.

International

Serial No. PCT/JP2003/014419

U.S. Serial No.: Applied for

Intl. Filing Date: November 13, 2003

U.S. Filing Date: Herewith

Title: NOVEL INTERMEDIATE FOR
CARBAPENEM COMPOUND
FOR ORAL ADMINISTRATION
AND PROCESS FOR
PRODUCING THE SAME

Attorney Docket No: 5404/102

Examiner: Not Assigned

Art Unit: Not Assigned

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY
EP 0 559 533 A1	09/08/1993	EPO

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Sakurai, Osamu et al., "A New Synthesis of 1 β -Alkylcarbapenems Utilizing Eschenmoser Sulfide Contraction of the Novel Thiazinone Intermediates," *Journal of Organic Chemistry*, 1996, Vol. 61, pp. 7889-7894.

International Search Report from Corresponding International Application
No. PCT/JP03/14419, dated March 16, 2004, 1 page.

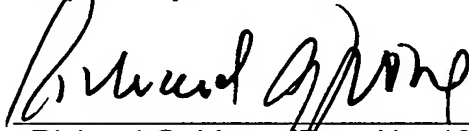
Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2).

Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,



Richard G. Lione (Reg. No. 19,795)

May 5, 2005

Date

FORM PTO-1449	INTERNATIONAL APPLICATION NO. PCT/JP2003/014419	CASE NO. 5404102
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	INTERNATIONAL FILING DATE November 13, 2003	GROUP ART UNIT Not Assigned
APPLICANT(S): Keita Nishino et al.		

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER Number-Kind Code (if known)	DATE	NAME	CLASS/ SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A1	EP 0 559 533 A1	09/08/1993	EPO	

EXAMINER INITIAL	OTHER ART - NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.				
	A2	Sakurai, Osamu et al., "A New Synthesis of 1 β -Alkylcarbapenems Utilizing Eschenmoser Sulfide Contraction of the Novel Thiazinone Intermediates," <i>Journal of Organic Chemistry</i> , 1996, Vol. 61, pp. 7889-7894.			
	A3	International Search Report from Corresponding International Application No. PCT/JP03/14419, dated March 16, 2004, 1 page.			

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.